

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

EMA FINANCIAL, LLC,
A Delaware Limited Liability Company,

Plaintiff,

-against-

VYSTAR CORP.,

A Georgia Corporation,

Defendant.

X

X

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED

DOC#:
DATE FILED: 8/20/2021

Case No: 1:19-cv-01545
(ALC)(GWG)

NOTICE OF
WITHDRAWAL OF MOTION

MEMO ENDORSED

PLEASE TAKE NOTICE defendant Vystar Corp. hereby withdraws, without prejudice, its motion [Docket No. 137] seeking to have the decision from the First Circuit Court of Appeals in the case entitled *EdgePoint Cap. Holdings, LLC v. Apothecare Pharmacy, LLC*, No. 20-1810, 2021 WL 3123652 (1st Cir. July 6, 2021)(attached hereto) be utilized by the Court in its analysis of the pending motion, or alternatively, permit the parties limited supplemental briefing on an expedited schedule based upon the decision and its applicability to the motion.

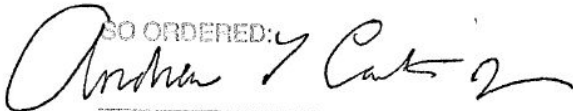
A letter in conformance with the Court's individual rules will subsequently be filed with the Court.

Dated: Morristown, New Jersey
August 5, 2021

The motion is hereby **WITHDRAWN**. The Clerk of Court is respectfully directed to terminate the motion at ECF No. 137.

Law Offices of Barry M. Bordetsky

By /s/Barry Bordetsky
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SO ORDERED:


HON. ANDREW L. CARTER, JR.
UNITED STATES DISTRICT JUDGE

Dated: August 20, 2021